

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jose Domingo Rocha-Montano

Principal

United States District Court
Southern District of Texas
FILED

Case Number:

YOB: 1975

USC

M-16-1705-M

SEP 12 2016

(Name and Address of Defendant)

Clark of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 8, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Alma Rodas-Licon, a citizen and national of Honduras and Eber Saul Jerezano-Munoz, a citizen and national of Honduras, along with thirty-seven (37) other undocumented aliens, for a total of thirty-nine (39), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On September 5, 2016, Border Patrol Agents received information about a house being used to house illegal aliens. The suspected stash house is located at 7402 Leal Street in Donna, Texas.

On September 6, 2016 Agents conducted surveillance on the suspected stash house with negative results.

On September 7, 2016 Agents continued to conduct surveillance on the suspected stash house. Agents observed a white Ford Pickup truck arrive at the residence and drop off one male subject and drive away. Later that day, the same white Ford Pickup came back to the residence and dropped off one additional subject. Agents followed the white pickup truck but lost it in traffic. Surveillance was concluded for the day.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by ASST PAXTON
[Signature]

Sworn to before me and subscribed in my presence,

September 12, 2016
Date

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

[Signature]
Signature of Complainant
~~Francisco Sanchez~~ Senior Patrol Agent
Printed Name of Complainant

at McAllen, Texas
City and State

[Signature]
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

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RE: Jose Domingo Rocha-Montano

CONTINUATION:

On September 8, 2016, Agents re-initiated surveillance on the suspected stash house. Agents observed a gold Chevrolet Equinox arrive at the residence and deliver bags of groceries and water. Moments later the gold Chevrolet Equinox departed the residence. Agents tried to follow the gold Equinox but were unsuccessful.

Later that day, Agents observed the white pickup truck arrive at the residence. Agents also observed the driver of the pickup truck give instructions to a person inside the residence. Agents followed the white pickup truck. Hidalgo County Constable Officer Alvarez stopped the white pickup truck for speeding. During the stop, Agents approached the driver of the pickup truck. Agents identified the driver as Jose Domingo ROCHA-Montano. ROCHA claimed to be a United States citizen. Agents asked ROCHA about the house located at 7402 Leal Street in Donna, Texas. ROCHA admitted coming from the house on Leal Street. Agents also asked ROCHA if there was any weapons or drugs in the house on Leal Street. ROCHA stated that there was only illegal aliens in the house but no drugs or weapons. Agents placed Jose Doming ROCHA-Montero under arrest and read him his Miranda Rights.

Deputy Alvarez issued a warning to ROCHA for speeding (51mph in a 30mph zone).

Jose Domingo ROCHA-Montero understood his rights and agreed to answer questions without an attorney present. ROCHA admitted to being the caretaker of the stash house and told agents that there was about twenty illegal aliens at the stash house. ROCHA also stated that he was renting the residence located at 7402 Leal Street in Donna, Texas. ROCHA gave verbal and written consent to search the target location and also provided agents with the key to the house.

Agents along with the Hidalgo County Constables Office arrived at the stash house and attempted to conduct a consensual knock and talk; after the agents knocked, agents observed as a several subjects opened the back door and walked out on their own and tried to walk away of the house. Agents detained the subjects and brought them back to the house. Agents found a total of thirty-nine illegal aliens in the house.

PRINCIPAL STATEMENT:

Jose Domingo ROCHA-Montano, was read his Miranda Rights and agreed to provide a sworn statement without an attorney present.

ROCHA a United States citizen, admitted to transporting illegal aliens and further explained that he would pick up illegal aliens from various locations and transported them to the stash located at 7402 Leal Street, Donna, Texas. ROCHA stated he gets paid \$30.00 USD per illegal alien. ROCHA also admitted to transporting four female illegal aliens to a hotel where they spent the night and then he left them there because someone else was going to pick them up.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

MATERIAL WITNESS STATEMENT – 1:

Alma Delia RODAS-Licona was read her Miranda Rights and agreed to provide a statement without an attorney present.

Alma Delia RODAS-Licona a citizen of Honduras, stated she paid \$2,000 USD to be smuggled into the United States. RODAS also stated that once in the United States, she was transported to the house where she was arrested. She claims that when she arrived at the stash house, a man with a ponytail wrote her name in a notebook and took her phone away. RODAS further stated that after the man took away her phone, he asked her if she was accompanied. RODAS answered yes out of fear; she said she was with her boyfriend but when she couldn't provide her boyfriend's name, the man got upset, grabbed her from the arm and hair, and threw her to the floor. RODAS claims she landed on the floor and hit her head. RODAS mentioned that the man ordered several of the females to go with him to his house. RODAS stated that she does not know what happened to the females because they never made it back to the house.

Alma Delia RODAS-Licona identified Jose Domingo ROCHA-Montano through a photo lineup as the caretaker of the stash house and the man who physically assaulted her.

MATERIAL WITNESS STATEMENT:

Eber Saul JEREZANO-Munoz was read the Miranda Rights and agreed to provide a statement without an attorney present.

Eber Saul JEREZANO-Munoz a citizen of Honduras, stated he paid \$4,000 USD to be smuggled into the United States. JEREZANO also stated that once in the United States, he was transported to the house where he was arrested. JEREZANO claims that a man would come to the house and bring them food and water. Also, the same man would get upset because the illegal aliens would use too much water; he threatened to cut off the water. JEREZANO stated that he would worry for the females because the same man would arrive drunk and high in the middle of the night and go into the room where all the females were sleeping.

Eber Saul JEREZANO-Munoz identified Jose Domingo ROCHA-Montano through a photo lineup as the caretaker of the stash house and the man who would arrive drunk in the middle of the night and go into the room where all the females were sleeping.

**UNITED STATES DISTRICT COURT
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CONTINUATION:

Maria Mercedes Romero-Chicas was read her Miranda Rights. She understood her rights and provided a sworn statement without the presence of an attorney.

Romero, a citizen of El Salvador, stated her husband made the smuggling arrangements. The smuggling fees was \$7,500 USD. She was transported to a house after she crossed illegally into the United States. She was taken to the stash house by Jose Domingo Rocha-Montano. Romero claims that Rocha took her cell phone and provided food to her and the others in the stash house. Romero identified Rocha through a photo lineup as the person in charge of the stash house.